

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, APRIL 17, 2014

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JOURNAL OF THE SENATE

NINETY-FIFTH CALENDAR DAY
FIFTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 17, 2014

The Senate met in regular session at 9:10 a.m., President Jochum presiding.

Prayer was offered by Dr. Joyce Garton-Natte, former Lay Pastor and member of the First Presbyterian Church in Fort Dodge, Iowa. She was the guest of Senator Beall.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kyra Cooper.

The Journal of Wednesday, April 16, 2014, was approved.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Resolution 114](#).

[Senate Resolution 114](#)

On motion of Senator Danielson, [Senate Resolution 114](#), a resolution honoring amateur golfer Mike McCoy, with report of committee recommending passage, was taken up for consideration.

Senator Danielson moved the adoption of [Senate Resolution 114](#), which motion prevailed by a voice vote.

SPECIAL GUEST

Senator Danielson introduced to the Senate chamber Mike McCoy, accompanied by his mother.

Mike McCoy addressed the Senate with brief remarks.

The Senate rose and expressed its congratulations.

BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that [Senate File 2354](#) be referred from the Appropriations Calendar to the committee on **Ways and Means**.

The Senate stood at ease at 10:05 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:59 a.m., President Jochum presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:00 a.m. until 1:00 p.m.

RECONVENED

The Senate reconvened at 1:33 p.m., President Jochum presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Anderson, Bertrand, Chelgren, and Feenstra, until they arrive, on request of Senator Dix.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2353](#).

[Senate File 2353](#)

On motion of Senator Dotzler, [Senate File 2353](#), a bill for an act relating to the jobs training and apprenticeship programs and making appropriations, was taken up for consideration.

Senator Chapman offered amendment [S-5158](#), filed by him on April 16, 2014, striking and replacing everything after the enacting clause of the bill.

Senator Chapman offered amendment [S-5161](#), filed by him on April 16, 2014, to pages 1–10 and amending the title provisions of amendment [S-5158](#), and moved its adoption.

A record roll call was requested.

On the question “Shall the amendment be adopted?” ([S.F. 2353](#)), the vote was:

Yeas, 20:

Behn	Ernst	Johnson	Sinclair
Boettger	Garrett	Kapucian	Smith
Breitbach	Greiner	Rozenboom	Whitver
Chapman	Guth	Schneider	Zaun
Dix	Houser	Segebart	Zumbach

Nays, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Absent, 4:

Anderson	Bertrand	Chelgren	Feenstra
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Amendment [S-5161](#) to amendment [S-5158](#) lost.

Senator Chapman asked and received unanimous consent to withdraw amendment [S-5158](#).

Senator Dotzler offered amendment [S-5160](#), filed by him on April 16, 2014, to pages 7–12 of the bill, and moved its adoption.

Amendment [S-5160](#) was adopted by a voice vote.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2353](#)), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirnbach	
Danielson	Hogg	Ragan	

Nays, 20:

Behn	Ernst	Johnson	Sinclair
Boettger	Garrett	Kapucian	Smith
Breitbach	Greiner	Rozenboom	Whitver
Chapman	Guth	Schneider	Zaun
Dix	Houser	Segebart	Zumbach

Absent, 4:

Anderson	Bertrand	Chelgren	Feenstra
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

[Senate File 2239](#)

Senator Gronstal called up for consideration [Senate File 2239](#), a bill for an act relating to elder abuse and providing penalties, amended by the House in House amendment [S-5092](#), filed March 26, 2014.

Senator Wilhelm withdrew amendment [S-5155](#), filed by her on April 15, 2014, to pages 1–4, 9, 11, 12, 14, 15, 17, and 18 of House amendment [S-5092](#).

Senator Wilhelm offered amendment [S-5159](#), filed by her on April 16, 2014, to pages 1–4, 9, 11, 12, 14, 15, 17, and 18 of House amendment [S-5092](#), and moved its adoption.

Amendment [S-5159](#) to House amendment [S-5092](#) was adopted by a voice vote.

Senator Wilhelm moved that the Senate concur in the House amendment, as amended.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment, as amended.

Senator Wilhelm moved that the bill, as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2239](#)), the vote was:

Yeas, 46:

Beall	Dix	Houser	Segebart
Behn	Dotzler	Jochum	Seng
Black	Dvorsky	Johnson	Sinclair
Boettger	Ernst	Kapucian	Smith
Bolkcom	Garrett	Mathis	Sodders
Bowman	Greiner	McCoy	Taylor
Brase	Gronstal	Petersen	Whitver
Breitbach	Guth	Quirmbach	Wilhelm
Chapman	Hart	Ragan	Zaun
Courtney	Hatch	Rozenboom	Zumbach
Danielson	Hogg	Schneider	
Dearden	Horn	Schoenjahn	

Nays, none.

Absent, 4:

Anderson	Bertrand	Chelgren	Feenstra
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 2458](#).

[House File 2458](#)

On motion of Senator Black, [House File 2458](#), a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, making related statutory changes, providing for eminent domain procedures, and including effective and applicability date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Black offered amendment [S-5152](#), filed by the committee on Appropriations on April 15, 2014, to pages striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Black offered amendment [S-5162](#), filed by him from the floor to pages 3, 6, 15, and 19 of amendment [S-5152](#), and moved its adoption.

Amendment [S-5162](#) to amendment [S-5152](#) was adopted by a voice vote.

Senator Zumbach offered amendment [S-5163](#), filed by Senators Zumbach and Black from the floor to page 19 of amendment [S-5152](#), and moved its adoption.

Amendment [S-5163](#) to amendment [S-5152](#) was adopted by a voice vote.

Senator Garrett offered amendment [S-5164](#), filed by him from the floor to page 19 of amendment [S-5152](#).

Senator Hogg raised the point of order that amendment [S-5164](#) to amendment [S-5152](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-5164](#) out of order.

Senator Black moved the adoption of amendment [S-5152](#), as amended.

Amendment [S-5152](#), as amended, was adopted by a voice vote.

Senator Black moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 2458](#)), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirnbach	
Danielson	Hogg	Ragan	

Nays, 20:

Behn	Ernst	Johnson	Sinclair
Boettger	Garrett	Kapucian	Smith
Breitbach	Greiner	Rozenboom	Whitver
Chapman	Guth	Schneider	Zaun
Dix	Houser	Segebart	Zumbach

Absent, 4:

Anderson	Bertrand	Chelgren	Feenstra
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 2239](#) and [House File 2458](#) be **immediately messaged** to the House.

The Senate stood at ease at 3:00 p.m. until the fall of the gavel for the purposes of party caucuses.

The Senate resumed session at 3:12 p.m., President Jochum presiding.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 3:13 p.m. until 9:00 a.m., Friday, April 18, 2014.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Thursday, April 17, 2014, 3:45 p.m.

Members Present: Dvorsky, Chair; Danielson, Vice Chair; Chapman, Ranking Member; Black, Bolkcom, Courtney, Dotzler, Garrett, Guth, Hatch, Hogg, Mathis, McCoy, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith.

Members Absent: Ernst and Kapucian (both excused).

Committee Business: Passed [HF 2463](#) and approved [SSB 3220](#).

Adjourned: 4:20 p.m.

GOVERNMENT OVERSIGHT

Convened: Thursday, April 17, 2014, 11:05 a.m.

Members Present: Petersen, Chair; Schoenjahn, Vice Chair; Garrett, Ranking Member; Greiner, and McCoy.

Members Absent: None.

Committee Business: Testimony from DAS Human Resources Enterprise Chief Operating Officer, Michelle Minnehan; and Chair of Public Employment Relations Board, Jim Riordan.

Adjourned: 1:20 p.m.

WAYS AND MEANS

Convened: Thursday, April 17, 2014, 3:15 p.m.

Members Present: Bolkcom, Chair; Seng, Vice Chair; Behn, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirnbach, Schneider, and Smith.

Members Absent: Feenstra, Ranking Member; and Bertrand (both excused).

Committee Business: Passed [SF 2323](#) and HFs 2453 and 2466.

Adjourned: 3:45 p.m.

INTRODUCTION OF BILLS

[Senate File 2355](#), by committee on Appropriations, a bill for an act relating to matters under the purview of the department of transportation, establishing a fee, and including effective date provisions.

Read first time under Rule 28 and **placed on Appropriations calendar.**

[Senate File 2356](#), by committee on Ways and Means, a bill for an act exempting from the state sales tax the purchase price of tangible personal property sold and services furnished to a nonprofit food bank.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: *[SENATE FILE 2355 \(SSB 3220\)](#), a bill for an act relating to matters under the purview of the department of transportation, establishing a fee, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 19: Dvorsky, Danielson, Chapman, Black, Bolkcom, Courtney, Dotzler, Garrett, Guth, Hatch, Hogg, Mathis, McCoy, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith. Nays, none. Absent, 2: Ernst and Kapucian.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on [Senate File 2355](#), and they were attached to the committee report.

ALSO:

Bill Title: [HOUSE FILE 2463](#), a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability date provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5166](#).

Final Vote: Ayes, 13: Dvorsky, Danielson, Black, Bolkcom, Courtney, Dotzler, Hatch, Hogg, Mathis, McCoy, Petersen, Ragan, and Schoenjahn. Nays, 6: Chapman, Garrett, Guth, Rozenboom, Segebart, and Smith. Absent, 2: Ernst and Kapucian.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: *[SENATE FILE 2356](#) (formerly [SF 2323](#)), a bill for an act exempting from the state sales tax the purchase price of tangible personal property sold and services furnished to a nonprofit food bank.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Bolkcom, Seng, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirnbach, Schneider, and Smith. Nays, none. Absent, 3: Feenstra, Behn, and Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on [Senate File 2356](#), and they were attached to the committee report.

ALSO:

Bill Title: [HOUSE FILE 2453](#), a bill for an act relating to the administration of the historic preservation and cultural and entertainment district tax credit program by the department of cultural affairs, providing for fees, and including applicability provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5165](#).

Final Vote: Ayes, 12: Bolkcom, Seng, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirnbach, Schneider, and Smith. Nays, none. Absent, 3: Feenstra, Behn, and Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 17, 2014, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate File 366](#) – Relating to radon control and making penalties applicable.

[Senate File 2312](#) – Relating to the continued effect of terms, conditions, covenants, and provisions contained in documents and instruments creating or regulating multiple housing cooperatives and horizontal property regimes and including applicability provisions.

AMENDMENTS FILED

S-5162	H.F. 2458	Dennis H. Black
S-5163	H.F. 2458	Dan Zumbach
		Dennis H. Black
S-5164	H.F. 2458	Julian B. Garrett
S-5165	H.F. 2453	Ways and Means
S-5166	H.F. 2463	Appropriations